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2018 JUN 13 PM 4:00

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CRIMINAL NO. 17-cr-20469

v.

HON. SEAN F. COX

D-1 JASON MANNING,
D-2 GREGORY HENDON,

Defendants.

THIRD SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

Use and Carry of a Firearm During and in Relation to a
Drug Trafficking Crime causing Death and
Crimes of Violence Causing Death
18 U.S.C. §§ 924(c); 924(j); and 2

D-2 GREGORY HENDON

On or about April 4, 2013, in the Eastern District of Michigan, GREGORY HENDON and others known and unknown to the grand jury, aided and abetted by each other, used and carried firearm(s) during and in relation to a drug trafficking crime and crimes of violence that may be prosecuted in a court of the United States, that is, Conspiracy to Possess with Intent to Distribute and to Distribute Controlled Substances, Conspiracy to Commit Interference with Commerce by Robbery, and Interference with Commerce by Robbery, and in the course of the

violation(s) caused the death of C.P., the death being murder as defined in Title 18, United States Code, Section 1111; all in violation of Title 18, United States Code, Sections 924(c), 924(j), and 2.

COUNT TWO

Conspiracy to Possess with Intent to Distribute and to
Distribute Controlled Substances
(21 U.S.C. §§ 846, 841(a)(1))

D-2 GREGORY HENDON

Beginning at a time unknown to the grand jury, but no later than April 4, 2013, up through and including August 3, 2013, in the Eastern District of Michigan, GREGORY HENDON and others known and unknown to the grand jury, knowingly and willfully conspired and agreed with each other to possess with the intent to distribute and to distribute controlled substances, to wit: a mixture or substance containing a detectable amount of heroin - a Schedule I controlled substance; all in violation of Title 21, United States Code, Sections 846 and 841(a)(1).

COUNT THREE

Possession with Intent to Distribute Heroin
(21 U.S.C. § 841(a)(1))

D-1 JASON MANNING
D-2 GREGORY HENDON

On or about August 3, 2013, in the Eastern District of Michigan, the defendants JASON MANNING and GREGORY HENDON knowingly and intentionally possessed with intent to distribute a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FOUR

Possession of a Firearm in Furtherance of a Drug Trafficking Offense
(18 U.S.C. § 924(c))

D-1 JASON MANNING
D-2 GREGORY HENDON

On or about August 3, 2013, in the Eastern District of Michigan, JASON MANNING and GREGORY HENDON knowingly possessed a firearm in furtherance of a drug trafficking offense for which they may be prosecuted in a court of the United States, that is, Possession with Intent to Distribute Controlled Substances, as charge in Court Three of this Third Superseding Indictment; in violation of Title 18, United States Code, Section 924(c).

COUNT FIVE

Felon in Possession of a Firearm
(18 U.S.C. § 922(g)(1))

D-2 GREGORY HENDON

On or about August 3, 2013, in the Eastern District of Michigan, GREGORY HENDON, after having previously been convicted of at least one crime punishable by imprisonment for a term exceeding one year (felony offense), knowingly possessed a firearm, to wit: a Remington shotgun, said firearm having travelled in interstate and/or foreign commerce, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT SIX

Felon in Possession of a Firearm
(18 U.S.C. § 922(g)(1))

D-1 JASON MANNING

On or about August 3, 2013, in the Eastern District of Michigan, JASON MANNING, after having previously been convicted of at least one crime punishable by imprisonment for a term exceeding one year (felony offense), knowingly possessed a firearm, to wit: a Remington shotgun, said firearm having travelled in interstate and/or foreign commerce; in violation of Title 18, United States Code, Section 922(g)(1).

COUNT SEVEN

Possession with Intent to Distribute Marihuana
(21 U.S.C. § 841(a)(1))

D-1 JASON MANNING

On or about June 26, 2017, in the Eastern District of Michigan, JASON MANNING knowingly and intentionally possessed with intent to distribute a mixture or substance containing a detectable amount of marihuana; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

FORFEITURE ALLEGATIONS

(18 U.S.C. §§ 924, 981(a)(1)(C); 21 U.S.C. § 853;
28 U.S.C. § 2461(c))

D-1 JASON MANNING

D-2 GREGORY HENDON

1. The allegations contained in Counts One through Seven of this Third Superseding Indictment are hereby incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Sections 924 and 981(a)(1)(C), Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461(c).

2. As a result of the foregoing violations of Title 21, United States Code, Sections 841 and/or 846, as charged in Counts Two, Three, and Seven of this Third Superseding Indictment, the defendants JASON MANNING and GREGORY HENDON shall, upon conviction and pursuant to Title 21, United States Code,

Section 853, forfeit to the United States their interest in: (a) any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such violations; and (b) any property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations.

3. As a result of the foregoing violation of Title 18 United States Code, Sections 922 and/or 924, as charged in Counts One, Four, Five, and Six, of this Third Superseding Indictment, the defendants JASON MANNING and GREGORY HENDON shall, upon conviction, forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28 United States Code, Section 2461(c), any firearm, ammunition, or body armor involved in said offense.

5. If the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code,

Section 853(p) as incorporated by Title 18, United States Code, Section 982(b) and/or Title 28, United States Code, Section 2461, to seek to forfeit any other property of defendants up to the value of such property.

THIS IS A TRUE BILL.

Dated: June 13, 2018

s/Grand Jury Foreperson
GRAND JURY FOREPERSON

MATTHEW SCHNEIDER
United States Attorney

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United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number 17-cr-20469
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: <u>ATW</u>

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Case Title: USA v. D-1 Jason Manning, et al

County where offense occurred : Wayne

Check One: ☒ Felony ☐ Misdemeanor ☐ Petty

☐ Indictment/ ☐ Information --- no prior complaint.

☐ Indictment/ ☐ Information --- based upon prior complaint [Case number:]

☒ Indictment/ ☐ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: 17-cr-20469 Judge: Sean F. Cox

- ☒ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
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Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

June 13, 2018
Date


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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.